

UNITED STATES DISTRICT COURT

MAR - 4 2011

for the

David J. Bradley, Clerk

United States of America

v.

Israel AVILA USC 1961

Case No.

M-11-0475-M

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 03-03-2011 in the county of Hidalgo in the
Southern District of Texas, the defendant(s) violated:

Code Section

Offense Description

21 USC 841(a)(1)

knowingly and intentionally possess with intent to
 distribute more than 100 kilograms of marijuana but
 less than 1,000 kilograms that is approximately
 528.35 kilograms of marijuana, a Schedule I
 Controlled Substance under the Controlled Substance
 Act.

This criminal complaint is based on these facts:

On 03-03-2011, DEA Agents received information regarding a property in San Juan, Texas which would be concealing narcotics. Agents established surveillance in the area of Military Rd. and Stewart Rd. in San Juan, Texas and located a property at 720 E. Doffing which matched the information which was received by agents. DEA Agents along with US Border Patrol Agents, and the Hidalgo County Sheriff's Department approached the property. As agents approached the property they encountered the owner of the residence, which was identified as Isreal AVILA. AVILA stated that he was the owner of the property. At this time, Agents asked AVILA for consent to search the property and AVILA gave verbal and written consent to a search of his property. While agents searched the property, AVILA told agents that there

☒ Continued on the attached sheet.

Approved:

Robert W. AUST
 3/4/11



Complainant's signature

Elizabeth Gutierrez, DEA Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date:

March 4, 2011



Judge's signature

City and state: McAllen, Texas

Peter B. Ormsby U.S. Magistrate Judge

Printed name and title

were chicken cages on his property which contained concealed narcotics. Agents approached the chicken cages and observed that there was a gate surrounding the cages and a make-shift residence. AVILA gave agents the key to open the gate and agents continued searching on the property. Agents discovered 28 bundles of marijuana in the chicken cages and an additional 2 bundles inside the residence. AVILA also stated that inside his main residence there was a marijuana bundle inside his refrigerator which he used for personal use. In total, agents seized 31 bundles of marijuana which were transported back to the DEA McAllen Office where they were weighed. In addition to the marijuana, agents seized one handgun and one rifle which AVILA stated belonged to him. The marijuana weighed approximately 528.35 kilograms. Once at the office AVILA was read his Miranda Rights in the English language by SA Lucy Carter as witnessed by GS Artemio Cantu. AVILA stated that he did not want to make any statements in regards to the marijuana found on his property due to the danger that it would put him and his mother in.